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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
DYLAN CORRAL,  
  
Defendant.

CASE NO. 2:22-CR-00048-JCC

STIPULATION TO CONTINUE TRIAL AND  
REGARDING EXCLUDABLE TIME PERIODS  
UNDER SPEEDY TRIAL ACT; [~~PROPOSED~~]  
ORDER

COURT: Hon. U.S. District Judge John C. Coughenour

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was scheduled for trial on February 5, 2024.
2. By this stipulation, the parties move to continue the trial to June 24, 2024.
3. By this stipulation, the government and defense counsel have also agreed to the below schedule and to jointly move to continue the dates in this case as follows:

	CURRENT SCHEDULE	PROPOSED MODIFIED SCHEDULE
Motions Filing –	November 28, 2023	March 28, 2024
Opposition Filing –	December 19, 2023	May 3, 2024
Reply Brief Filing –	January 2, 2024	May 17, 2024
Hearing on Motions –	January 8, 2024	May 24, 2024

Trial - February 5, 2024 June 24, 2024

4. The parties agree and stipulate, and request that the Court find the following:

a) Discovery has been provided to defendant, consisting of over 1,000 Bates-stamped items, including reports of investigation, an audio- and video-recorded interview of the defendant, photographs, and a summary of defendant's criminal history.

b) Defense counsel represents that, despite the exercise of diligence, she requires additional time to prepare for trial, to respond to the government's pretrial motions, to prepare potential pretrial motions for the defense, to conduct relevant investigations, to hire appropriate experts, and to issue various subpoenas in advance of trial. In addition, in October 2023, the Hon. Magistrate Judge Theresa Fricke issued findings and recommendations recommending that Mr. Corral undergo another competency evaluation. Those Findings and Recommendations are currently being evaluated by this Court and the parties are waiting on this Court's order.

c) Counsel for defendant believes that failure to grant the above-requested continuance would deny her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

e) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of February 5, 2024, to June 24, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv), because it results from a continuance granted by the Court request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

5. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act provide that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

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3 Dated: November 20, 2023

PHILLIP A. TALBERT  
United States Attorney

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5 /s/ JUSTIN J. GILIO  
JUSTIN J. GILIO  
6 Assistant United States Attorney

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8 Dated: November 20, 2023

/s/ DANICA MAZENKO  
DANICA MAZENKO  
9 Counsel for Defendant  
10 DYLAN CORRAL  
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**[PROPOSED] ORDER**

IT IS ORDERED that the parties' briefing schedule, hearing on motions in limine, and trial date are modified as follows:

1. Parties' motions filing deadline – March 28, 2024;
2. Opposition briefs filing deadline – May 3, 2024;
3. Reply briefs filing deadline, if any – May 17, 2024;
4. Hearing on Motions – May 24, 2024 at 9 a.m.; and
5. The trial date is continued from February 5, 2024 to June 24, 2024.

IT IS FURTHER ORDERED THAT the ends of justice served by the schedule set forth above outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act for the reasons stated in the parties' stipulation. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of February 5, 2024 to June 24, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(i) & (iv) because it results from a continuance granted by the Court at the parties' request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

IT IS SO ORDERED this 21st day of November 2023.



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THE HONORABLE JOHN C. COUGHENOUR  
UNITED STATES DISTRICT JUDGE